

## Message Text

CONFIDENTIAL

PAGE 01 STATE 266133

63

ORIGIN L-01

INFO OCT-01 SS-14 ISO-00 NSC-05 NSCE-00 EUR-08 AF-04 IO-03

SAM-01 INR-05 CIAE-00 SP-02 PRS-01 DODE-00 INRE-00

SSO-00 /045 R

DRAFTED BY L:SSCHWEBEL/L/AF:FWILLIS:CDJ

APPROVED BY AF:AMB MULCAHY

EUR/IB:RBARBOUR

L:GALDRICH (SUBS)

----- 082508

O P 110107Z NOV 75

FM SECSTATE WASHDC

TO AMEMBASSY LISBON IMMEDIATE

INFO USMISSION USUN NEW YORK PRIORITY

C O N F I D E N T I A L STATE 266133

LIMDIS

E.O. 11652:GDS

TAGS: PFOR, PO, AO

SUBJECT: PORTUGAL AND ANGOLAN RECOGNITION

REF: LISBON 6657

1. APPRECIATE REFTEL. OUR VIEW OF LEGAL ASPECTS OF RECOGNITION OF THE STATE OF ANGOLA AND OF THE GOVERNMENT OF ANGOLA FOLLOW.

2. THE WEIGHT OF INTERNATIONAL LAW AND PRACTICE FAVORS SIMULTANEOUS RECOGNITION OF A GOVT WHEN A NEW STATE IS RECOGNIZED. THIS IN PART IS BECAUSE IT IS ACCEPTED INTERNATIONAL LAW THAT A NECESSARY CHARACTERISTIC OF A STATE IS THAT IT HAVE DEFINED TERRITORY, A POPULATION, AND A GOVT ENJOYING THE SUPPORT OR ACQUIESCENCE OF THAT POPULATION WHICH IS CAPABLE OF CONDUCTING INTERNATIONAL RELATIONS ON BEHALF OF THAT STATE.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 266133

3. HOWEVER, THERE ARE EXCEPTIONAL PRECEDENTS IN INTERNATIONAL LAW FOR RECOGNITION OF A NEW STATE EVEN WHEN A GOVERNMENT OF THAT STATE IS NOT RECOGNIZED. E.G., IT APPEARS THAT THE STATE OF ALBANIA WAS RECOGNIZED IN 1913 WHILE A GOVT OF THAT STATE WAS NOT RECOGNIZED UNTIL 1920. IN 1962, USG RECOGNIZED

THE STATE OF ALGERIA IN JULY, BUT IT WAS NOT UNTIL SEPT THAT THE USG RECOGNIZED THE GOVT OF ALGERIA. (2 WHITEMAN'S DIGEST OF INTERNATIONAL LAW 134, 445-446.)

4. FYI: FOR OUR PART, DEPENDING ON DEVELOPMENTS, WE MAY WISH TO APPROACH RECOGNITION OF A STATE APART FROM RECOGNITION OF A GOVT CAUTIOUSLY, NOT ONLY BECAUSE OF THE WEIGHT OF PRINCIPLE AND PRACTICE BUT FOR PRAGMATIC REASONS: E.G., IF A STATE IS RECOGNIZED, THE QUESTION OF SEATING ITS GOVT IN THE UN WILL IMMEDIATELY ARISE IF IT APPLIES FOR UN MEMBERSHIP. END FYI.

5. OUR OPERATIVE CONCLUSIONS ARE THESE: (A) IT MAY BE MAINTAINED, AND IN EMB'S DISCRETION SAID TO GOP, THAT THERE IS PRECEDENT FOR DISTINGUISHING BETWEEN RECOGNITION OF A NEW STATE AND OF A GOVT, AS PER THE ABOVE ALBANIAN AND ALGERIAN PRECEDENTS; (B) THAT, IN ANY EVENT, THERE IS NOT REPEAT NOT JUSTIFICATION FOR RECOGNITION OF A SINGLE GOVT AS REPRESENTING A NEW STATE IN INTERNATIONAL RELATIONS WHEN IN FACT THAT GOVT IS ONE OF THREE CONTENDING FACTIONS WHICH ACTUALLY CONTROLS A MINORITY OF THAT STATE'S TERRITORY AND POPULATION. INDEED, RECOGNITION OF A GOVT IN SUCH CIRCUMSTANCES MIGHT WELL BE VIEWED AS AN IMPROPER INTERFERENCE IN THE NEW STATE'S INTERNAL AFFAIRS IN DEROGATION OF THE PRINCIPLE OF SELF-DETERMINATION; (C) THE FACT THAT GOP MAY WISH TO MAINTAIN CONSULAR OR OTHER REPRESENTATION IN LUANDA DOES NOT REQUIRE RECOGNITION OF THE STATE OF ANGOLA AND CERTAINLY NOT OF ITS GOVT. E.G., VARIOUS GOVTS THAT RECOGNIZE PRC MAINTAIN CONSULAR OR TRADE REPRESENTATION IN CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 266133

TAIWAN. USG, WHICH RECOGNIZES CHINA AS STATE AND GRC AS ITS GOVT, MAINTAINS REPRESENTATION IN PEKING THOUGH WE DO NOT RECOGNIZE PRC. PORTUGAL MAINTAINED CONSULATE IN RHODESIA WITHOUT RECOGNIZING RHODESIAN STATE OR GOVT. WE UNDERSTAND THAT FRANCE PLANS TO MAINTAIN CURRENT REPRESENTATION IN LUANDA WHILE NOT EXTENDING RECOGNITION. KISSINGER

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** POLICIES, RECOGNITION, LIBERATION FRONTS, FORM OF GOVERNMENT  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 11 NOV 1975  
**Decaption Date:** 28 MAY 2004  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** buchantr  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975STATE266133  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** SSCHWEBEL/L/AF:FWILLIS:CDJ  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D750391-0165  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19751158/aaaabzvq.tel  
**Line Count:** 114  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN L  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** LIMDIS  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** LIMDIS  
**Reference:** 75 LISBON 6657  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** buchantr  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 10 JUN 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <10 JUN 2003 by ShawDG>; APPROVED <22 OCT 2003 by buchantr>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** PORTUGAL AND ANGOLAN RECOGNITION  
**TAGS:** PFOR, PO, AO  
**To:** LISBON  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006